

Message Text

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61

ACTION IO-14

INFO OCT-01 ISO-00 L-03 PM-07 NSC-10 SPC-03 SAM-01 SS-20

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E.O. 11652: N/A

TAGS: TSPA, PFOR, UN

SUBJ: REMOTE SENSING WORKING GROUP: LEGAL ISSUES AND WG REPORT,
MARCH 1 SESSION

REF:USUN 707

1. MUCH OF WGRS AFTERNOON SESSION MAR 1 DEVOTED TO DISCUSSION
OF NEW DRAFT OF PARAGRAPHS 6 AND 7 OF REPORT'S LEGAL SECTION.
REVISED DRAFT, WITH SOME REVISIONS ACCEPTED BY WG AND BRACKETED
LANGUAGE THAT WILL BE REVIEW AT MARCH 4 SESSION, IS GIVEN BELOW.

2. QUOTE. 6. THE GENERAL VIEW OF THE WORKING GROUP WAS
THAT IN ANY FUTURE WORK IN THIS FIELD, INCLUDING ELABORATION
OF INTERNATIONALLY AGREED GUIDELINES, PRINCIPLES OR ANY
BINDING LEGAL INSTRUMENT, THE FOLLOWING DIFFERENT PRIN-
CIPAL FACTORS RAISED BY VARIOUS DELEGATIONS SHOULD BE
TAKEN INTO ACCOUNT: THE RIGHTS, INTERESTS AND OBLIGATIONS
OF SENSING AND OF SENSED STATES; THE SOVEREIGN
RIGHTS OF STATES; THE NEED FOR MAXIMUM DISSEMINATION
OF REMOTE SENSING DATA IN ORDER TO PROMOTE EQUITABLE
ACCESS BY STATES TO SUCH DATA AND TO ENSURE FOR ALL
STATES THOSE PARTICULAR, IMPORTANT BENEFITS OF REMOTE
SENSING DERIVED ONLY FROM THE STUDY OF DATA ON A
REGIONAL AND GLOBAL SCALE; THE COMMON INTEREST OF MAN-
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KIND IN RESOURCES AND ENVIRONMENTAL INFORMATION; THE

INTERDEPENDENCE BETWEEN ORGANIZATION ASPECTS AND INTERNATIONAL LEGAL ARRANGEMENTS; AND THE NATURE OF THE DATA DERIVED FROM REMOTE SENSING ACTIVITIES.

2. QUOTE. 7. THE WORKING GROUP HAS CONSIDERED THE LEGAL ASPECTS OF REMOTE SENSING IN A GENERAL WAY ONLY AND THEREFORE BELIEVES IT IS NECESSARY THAT THESE ASPECTS BE CONSIDERED IN GREATER DEPTH. THE WORKING GROUP CONSIDERS IT IMPORTANT THAT THE LEGAL SUBCOMMITTEE CONSIDERS THE LEGAL ASPECTS OF REMOTE SENSING AS A MATTER OF HIGH PRIORITY, TAKING INTO ACCOUNT THIS REPORT OF THE WORKING GROUP. UNQTE.

4. BRACKETS FOR "SENSING AND SENSED" REFLECTS ROMANIAN OBJECTION THAT SENSED STATES INCUR NO OBLIGATION. US DEL ARGUES THAT "ONLY" SHOULD BE INSERTED TO STATE AN IMPORTANT FACT WITH TECHNICAL PRECISION AND PROPER EMPHASIS. SOVS SO FAR DO NOT ACCEPT.

5. DURING DISCUSSION OF PARA 7 SOV DELEGATE AT FIRST OBJECTED STRONGLY TO CANADIAN PROPOSAL TO CHANGE THE LAST CLAUSE OF THE PARAGRAPH FROM "TAKING INTO ACCOUNT THE FINAL REPORT OF THIS WORKING GROUP" TO "THE PRESENT REPORT OF THE WORKING GROUP." COMPROMISE WAS REACHED ON "THIS REPORT." DISCUSSION MADE IT PLAIN USSR WOULD NOW STRONGLY OPPOSE PROPOSAL FOR ADDITIONAL MEETINGS OF WGRS.

6. LEGAL DRAFTING GROUP ALSO PREPARED GENERAL LEGAL DISCLAIMER FOR INSERTION AFTER INTRODUCTORY SECTION OF REPORT. DISCLAIMER DRAFTED LARGELY AT URGING OF UK AS MEANS OF AVOIDING FURTHER DISCUSSION OF LEGAL CAVEATS IN SUBSTANTIVE SECTIONS OF REPORT. TEXT BEING TRANSMITTED USUN 725.

7. DISCUSSION OF DRAFT SECTION OF REPORT ON "FUTURE ROLE OF UN" PREPARED BY SECRETARIAT HIGHLIGHTED BY USSR OBJECTIONS TO VARIOUS ALTERNATIVES PUT FORTH IN DRAFT FOR POSSIBLE UN REMOTE SENSING CENTER(S) WHICH WENT BEYOND EARLIER SOVIET PROPOSALS. (USUN 638, PARA 2). LIMITED OFFICIAL USE

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ALTHOUGH THEIR INITIAL REMARKS HAD NEGATIVE EFFECT ON WGRS, PARTICULARLY ON INDIANS, SOVIETS LATER MADE SOME SENSIBLE AND CONSTRUCTIVE SUGGESTIONS. SOME ALTERNATIVES RAISED CLEARLY HAD IMPORTANT FINANCIAL IMPLICATIONS. JAPAN GAVE SOME SUPPORT TO SOVIET COMMENTS, BUT SAID LESS AMBITIOUS ALTERNATIVES THAN THOSE LISTED IN SECRETARIAT DRAFT COULD BE CITED, E.G., AREAS WHERE TECHNICAL ASSISTANCE COULD BE PROVIDED AND VARIOUS

APPROACHES TO DATA DISSEMINATION COVERED BY TASK FORCE
REPORT. USDEL REQUESTED SECRETARIAT FOR ADDITIONAL
BACKGROUND INFORMATION RELATED TO ALTERNATIVES.

8. NEXT SESSION OF WGRS SCHEDULED MORNING MARCH 4.
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